

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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JOHN MAHONEY, on behalf of himself  
and all other similarly situated,

Plaintiffs,

v.

THE LINCOLN NATIONAL LIFE  
INSURANCE COMPANY,

Defendants.

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**CIVIL ACTION NO.: 2:19-04426-RBS**

**PARTIES' JOINT MOTION TO STAY ALL DEADLINES**

Pursuant to Rule 6(b), F.R.Civ.P., and Rules 7.1 and 7.4(b)(2) of the Local Rules of the United States District Court for the Eastern District of Pennsylvania, the Parties, Plaintiff John Mahoney ("Plaintiff") and Defendant The Lincoln National Life Insurance Company ("Lincoln National"), collectively, the "Parties", by and through their undersigned counsel, file this joint motion to stay all deadlines in this matter, and would show the court as follows:

1. Plaintiff commenced this action on September 24, 2019. (Complaint Dkt. No. 1.).
2. Over the last two weeks, counsel for the Parties met and conferred by email and phone about the claims and defenses in this case to determine whether resolution was possible. During these meetings, the Parties discussed the legal and factual issues involved in the case. In addition, the Parties discussed a framework for possible resolution of the matter. The Parties hope that their discussions and desire to amicably resolve this matter will be successful. As part of the discussions between the Parties, it was agreed that a request to stay the deadlines pending before this Court would be submitted to the Court for consideration. It is the Parties' good faith belief that

such a stay will assist in their attempts to amicably resolve this matter. The stay will be for a period of 30 days from November 29, 2019 to December 30, 2019.

3. Therefore, in an effort to attempt an amicable resolution of this matter, the Parties respectfully request that the Court stay all deadlines in this litigation for a period of 30 days from November 29, 2019.

4. Lincoln National's responsive pleading to Plaintiff's Complaint is currently due on November 29, 2019.

5. If approved by the Court, Lincoln National's deadline to file its responsive pleading to Plaintiff's Complaint will be extended from November 29, 2019 to December 30, 2019.

6. The Parties agree that the proposed continuance will not prejudice any Party, and may prevent otherwise unnecessary expenditures of time and resources.

7. This is the Parties' first request for a stay of all deadlines.

8. The Parties make this stipulation for good cause and not for the purpose of delay.

**WHEREFORE**, the Parties respectfully request that the Court grant this motion. A proposed order has been submitted simultaneously with this motion pursuant to Local Rule 5.1.2(10). A Certificate of Concurrence is attached hereto as Exhibit A in satisfaction of Local Rules 7.4(b) and 5.1.2(9)(c).

By: /s/ David S. Glanzberg  
David S. Glanzberg, Esq.  
**GLANZBERG TOBIA LAW, P.C.**  
123 South Broad Street, Ste. 1640  
Philadelphia, PA 19109  
ATTORNEY FOR PLAINTIFFS

Dated: November 26, 2019

By: /s/ Angela Quiles Nevarez  
Angela Quiles Nevarez, Esq.  
**JACKSON LEWIS P.C.**  
1601 Cherry Street, Suite 1350  
Philadelphia, PA 19102

Joseph J. Lynett (admitted *Pro Hac Vice*)  
**JACKSON LEWIS P.C.**  
44 South Broadway, 14th Floor  
White Plains, NY 10601  
ATTORNEYS FOR DEFENDANT

**ORDER**

IT IS SO ORDERED this \_\_\_\_ day of November 2019.

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HONORABLE R. BARCLAY SURRICK  
UNITED STATES DISTRICT COURT  
JUDGE

# **EXHIBIT A**

**CERTIFICATION OF CONCURRENCE**

Angela Quiles Nevarez, attorney for Defendant The Lincoln National Insurance Company, hereby certifies that: (a) I have sought concurrence in the Parties' Joint Motion to Stay from counsel for the Plaintiff, David Glanzberg; (b) counsel for the Plaintiff concurs in said motion; and (c) counsel for all Parties have authorized the filing attorney to enter their respective electronic signatures in the signature block of this motion pursuant to Local Rule 5.1.2, ¶ 9(c)(2).

Date: November 26, 2019

/s/ Angela Quiles Nevarez  
Angela Quiles Nevarez

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the **PARTIES' JOINT MOTION TO STAY ALL DEADLINES** was filed this day through, and is available for viewing and downloading from, the Court's ECF system, which will electronically serve counsel for all parties via a Notice of Electronic Filing (NEF). There are no parties that are non-registered ECF participants or who have otherwise not consented to electronic service. I further certify, pursuant to Local Rule 5.1.2, ¶ 9(c)(2), that counsel for all parties have authorizing the filing attorney to enter their respective electronic signatures in the signature block of this motion.

Date: November 26, 2019

**JACKSON LEWIS P.C.**

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